

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PETER A. TEELUCKSINGH,

Plaintiff,

- against -

BISHOP FORD CENTRAL CATHOLIC HIGH
SCHOOL, LAY FACULTY ASSOCIATION,

Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge.

ORDER
12-CV-3214 (RRM)(JMA)

On June 21, 2012, plaintiff Peter A. Teelucksingh, appearing *pro se*, filed this employment discrimination action pursuant to Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000e-2000e-17. (Doc. No. 1.) Plaintiff's application to waive the filing fee (also known as a request to proceed *in forma pauperis*) pursuant to 28 U.S.C. § 1915 is DENIED. The court directs plaintiff to remit the statutory filing fee of \$350 within 14 days of the date of this Order in order to proceed with this action.

Under 28 U.S.C. § 1914, the filing fee to commence a civil action is \$350. Under 28 U.S.C. § 1915, the court may waive the filing fee upon finding a plaintiff indigent. *Cuoco v. United States Bureau of Prisons*, 328 F. Supp. 2d 463, 467 (S.D.N.Y. 2004); *Hobbs v. County of Westchester, et al.*, No. 00 Civ. 8170 (JSM), 2002 WL 868269, at *1 (S.D.N.Y. May 3, 2002). Whether a plaintiff qualifies for *in forma pauperis* status is within the discretion of the district court. *DiGianni v. Pearson Educ.*, No. 10-CV-206, 2010 WL 1741373, at *1 (E.D.N.Y. Apr. 30, 2010).

Here, plaintiff's application to waive the filing fee states that he is currently unemployed and he has \$125,000 in cash or in a checking or savings account, along with monthly expenses. (See Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. No. 2) at ¶¶ 1-6.) Given that plaintiff, although unemployed, has \$125,000, his application does not support a finding of indigency or that he is unable to pay the \$350 filing fee. Rather, plaintiff's application establishes that he has sufficient resources to pay the \$350 filing fee to commence this action. Thus, the court declines to grant plaintiff's request for *in forma pauperis* status.

Accordingly, the court directs plaintiff to pay the \$350 filing fee to the Clerk of Court of the Eastern District of New York within 14 days from the date of this Order in order to proceed with this action. No summons shall issue at this time and all further proceedings shall be stayed for 14 days or until plaintiff has complied with this Order. Upon payment of the filing fee, the court respectfully directs the Clerk of Court to issue a summons for plaintiff to effect service of process on defendants pursuant to Rule 4 of the Federal Rules of Civil Procedure. If plaintiff fails to submit the filing fee within the time allowed, the action will be dismissed without prejudice.

The Clerk of Court is directed to send to plaintiff by overnight mail a copy of this Order and note the mailing on the docket.

SO ORDERED.

Dated: Brooklyn, New York
July 30, 2012

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge